

HOUSE BILL NO. 28

INTRODUCED BY J. MUSGROVE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT IF AN ELECTOR USES A PREPRINTED LABEL TO VOTE FOR A WRITE-IN CANDIDATE, ONLY A CERTAIN TYPE OF LABEL MAY BE USED FOR THAT PURPOSE; AUTHORIZING THE SECRETARY OF STATE TO ADOPT OTHER LABEL STANDARDS BY RULE; PROHIBITING THE APPLICATION OF A PENALTY TO AN ELECTOR WHO FAILS TO USE A PRESCRIBED LABEL; AND PROVIDING EFFECTIVE DATES AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Requirements for write-in candidate preprinted labels -- penalty prohibited. (1) If an elector uses a preprinted label to vote for a write-in candidate, only a label with a crack and peel permanent adhesive backing may be used by the elector.

(2) The secretary of state may adopt by rule standards for write-in candidate labels in addition to the requirement of subsection (1).

(3) A civil or criminal penalty may not be applied to an elector who fails to comply with the requirements of subsection (1) or a standard adopted by the secretary of state.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 13, and the provisions of Title 13 apply to [section 1].

NEW SECTION. Section 3. Effective dates. (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 1(1) and (3)] are effective January 1, 2002.

NEW SECTION. Section 4. Applicability. [This act] applies to elections held after January 1, 2002.

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